



June 21, 1999

Mr. Stephen R. Alcorn
Assistant City Attorney
City of Grand Prairie
P.O. Box 534045
Grand Prairie, Texas 74053-4045

OR99-1711

Dear Mr. Alcorn:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 124305.


The City of Grand Prairie (the "city") received a written request for "all records and notes" pertaining to a police incident report in which an individual identified by the requestor is named as the victim of a sexual assault. You question whether the requestor, who is requesting the information on behalf of the Texas Department of Human Services (the "department"), has a special right of access to the requested information.

It is the well-settled policy of this state that governmental bodies should cooperate with each other in the interest of the efficient and economical administration of their statutory duties. Attorney General Opinion H-683 (1975). The Texas Public Information Act does not undercut that policy. *Id.* Confidential information may be transferred between state agencies without destroying its confidential character and without constituting a release to the public if the agency to which the information is transferred has authority to obtain the information. Open Records Decision No. 516 (1989), 490 (1988). Consequently, confidential information may be "transferred between state agencies without violating its confidential character on the basis of a recognized need to maintain an unrestricted flow of information between state agencies." Attorney General Opinion H-683 at 4.

We therefore conclude that the city has the discretion to release the requested information to the department. Such release would not constitute a release of the information to the public, and, once transferred, the department must continue to treat the information as confidential for purposes of section 552.101 of the Government Code. *See also* Gov't Code § 552.352 (release of confidential information constitutes misdemeanor).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Rebecca Payne
Chief, Open Records Division

RLP/RWP/eaf

Ref.: ID# 124305

Encl. Submitted documents

cc: Mr. Reginald Lewis
Office of Inspector General
1625 West Mockingbird Lane, Suite 313
Dallas, Texas 75235
(w/o enclosures)